

Message Text

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ACTION ARA-10

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TO SECSTATE WASHDC 1958

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TAGS : CASC, MX

SUBJ : AMERICAN PRISONERS : MEXICAN REACTION TO REPORTED
KISSINGER-TO-RABASA PROTEST

SUMMARY : MEXICAN PRESS GAVE FULL HEADLINE COVERAGE TO
REPORT OUT OF WASHINGTON THAT SECY KISSINGER HAD PROTESTED
PRISONER TREATMENT IN PERSONAL LETTER TO FONSEC RABASA.
REACTION TO REPORT AMONG MEXICAN OFFICIALS, FROM RABASA AND
ATTORNEY GENERAL OJEDA ON DOWN, WAS PREDICTABLY STOUT AND
DEFENSIVE, WITH SOME CHORTLING THROWN IN AFTER LETTER'S
EXISTENCE WAS DENIED IN WASHINGTON. EMBASSY COMMENTS FOLLOW:

END SUMMARY

1. (BEGIN UNCLASSIFIED) ON HIS RETURN FROM NEW YORK DEC 16,
FONSEC RABASA WAS ASKED AT AIRPORT ABOUT PROTEST LETTER
REPORTEDLY SENT TO HIM BY SECY KISSINGER. RABASA FIRST
TURNED IT INTO A CASE OF PRESS IRRESPONSIBILITY, SHOWING THAT
PUBLIC OFFICIALS COULD BE SLANDERED BY ILL-FOUNDED NEWS REPORTS.
"EIGHT COLUMN HEADLINES ABOUT A LETTER THAT NEVER EXISTED,"
HE OBSERVED.

2. REPORTERS, HOWEVER, PERSISTED IN KNOWING WHETHER THERE
WAS ANY SUBSTANCE TO COMPLAINT ITSELF OVER MEXICAN MIS-
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TREATMENT OF PRISONERS. RABASA ANSWERED THAT QUESTION

OUGHT BETTER TO BE PUT TO ATTORNEY GENERAL. ADDING THAT MEXICO RECOGNIZED RIGHT OF BOTH GOVERNMENTS TO BE INFORMED OF CONDITION OF THEIR PRISONER NATIONALS AND STATUS OF THEIR CASES, RABASA REMARKED THAT IN PRESENT INSTANCE IT WAS A MATTER OF "A PARTICULAR CONGRESSMAN FROM CALIFORNIA NAMED STARK, WHO CLEARLY IS LOOKING FOR PUBLICITY AND HEADLINES FOR HIS OWN POLITICAL PURPOSES."

3. COMMENTING FURTHER, RABASA REMINDED INTERVIEWERS THAT PRISONERS WERE ACCUSED AND IN SOME CASES CONVICTED OF ONE OF SOCIETY'S MOST SERIOUS CRIMES, TRAFFIC IN DRUGS. ON ONE HAND, HE SAID, USG ASKS OUR COOPERATION IN PREVENTING DRUG TRAFFIC, AND ON THE OTHER, WHEN MEXICAN JUDICIAL SYSTEM TAKES ACTION, THEN BECAUSE A CALIFORNIA CONGRESSMAN WANTS PUBLICITY, THE PRISONERS ARE MADE TO LOOK AS IF THEY WEREN'T CRIMINALS.

4. FOLLOWING RABASA'S SUGGESTION, NEWSMEN INTERVIEWED ATTORNEY GENERAL OJEDA PAULLADA IN HIS OFFICE DEC 17. OJEDA TOLD THEM THAT "IN NO JAIL IN MEXICO" WERE AMERICAN PRISONERS MISTREATED, "NOT EVEN DRUG TRAFFICKERS APPREHENDED "IN FLAGRANTI"." OJEDA SAID MISTREATMENT CHARGES WERE PART OF AN ORGANIZED CAMPAIGN BY DRUG TRAFFICKERS WHO FORMERLY GOT OUT OF JAIL QUICKLY AND EASILY ON BAIL, BUT WHO NOW FOUND BAIL NO LONGER AVAILABLE TO THEM AS RESULT OF PENAL CODE REFORMS.

5. REGARDING CHARGES THEMSELVES, OJEDA ASSERTED THAT "THE FACT THAT U.S. SECRETARY OF STATE HIMSELF HAD AFTERWARD DENIED (SIC) CHARGES OF MISTREATMENT OF PRISONERS IN MEXICO WAS PROOF THAT NO SUCH SITUATION EXISTED".

6. EARLIER, BEWMEN HAD INTERVIEWED SEVERAL LOCAL PRISON AUTHORITIES AND RECEIVED UNIFORMLY STRONG DENIALS OF MISTREATMENT. CHAIRMAN OF MEXICO CITY PRISON ADMINISTRATIVE COMMITTEE, GUSTAVO MALO CAMACHO, DECLARED THAT PRISON CONDITIONS HAD BEEN CLOSELY STUDIED BY EMBASSY ITSELF TWO YEARS AGO AND HAD RECEIVED ITS LIMITED OFFICIAL USE

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"DEFINITIVE APPROVAL". SANTA MARTA PRISON DIRECTOR LEOPOLDO BARQUERA ASSERTED THT U.S. COMPLAINTS WERE "WITHOUT FOUNDATION AND REVEALED GREAT IGNORANCE ABOUT ADMINISTRATION OF JUSTICE" IN MEXICO. WOMAN'S PRISON DIRECTOR HILDA MARTA IBARRA SAID ACCUSATIONS WERE FALSE AND THAT THERE HAD BEEN NOT A SINGLE CASE OF AN AMERICAN PRISONER PROTESTING MISTREATMENT. AND LECUMBERRI DIRECTOR GEN. FRANCISCO ARCAUTE OBSERVED THAT IN EVERY

PRISON IN THE WORLD IT'S THE SAME STORY: THE PRISONERS
ARE DISSATISFIED AND WANT ALL SORTS OF EXTRA COMFORTS.

7. REPORTERS SAID ALL PRISON OFFICIALS AGREED THAT THERE
WAS NO TORTURING OF AMERICANS OR ANYONE ELSE IN ANY OF
THEIR PRISONS, AND THAT THOSE WHO OUGHT TO BE COMPLAINING --
THE PRISONERS THEMSELVES AND THEIR FAMILIES -- WERE NOT
DOING SO, HENCE THE CHARGES MUST BE FALSE. (END UNCLASSIFIED).

8. (BEGIN L O U) COMMENT: WHILE WE WOULD EXPECT MEXICAN
LEADERS TO DENY PUBLICLY AND CHARGES OF MISTREATMENT OF
PRISONERS, WE ARE AT A LOSS TO EXPLAIN STATEMENT
REPORTEDLY MADE BY MALO CAMACHO AND OJEDA PAULLADA THAT
EMBASSY "APPROVED" OF THE CONDITIONS IN WHICH AMERICANS
ARE HELD IN MEXICAN PRISONS, OR THAT DEPARTMENT HAS
"DENIED ALLEGATIONS OF MISTREATMENT". AS DEPARTMENT IS
AWARE, AMBASSADOR AND CONGEN HAVE DISCUSSED PRISONER
COMPLAINTS OF MISTREATMENT AND OF PRISON CONDITIONS ON
MANY OCCASIONS WITH ATTORNEY GENERAL AND OTHER SENIOR GOM
OFFICIALS. MOST RECENT DISCUSSION WITH OJEDA PAULLADA
WAS DEC 17, THE SAME DAY AS HIS INTERVIEW WITH EXCELSIOR
(DISCUSSION REPORTED SEPTEL. CONSULAR OFFICERS VISITING
PRISONS HAVE REPEATEDLY BROUGHT PRISONER COMPLAINTS OF
LIVING CONDITIONS AND MISTREATMENT TO ATTENTION OF
PRISON AUTHORITIES. IN JULY 1975 EMBASSY SENT LETTER TO
PRIVATE SECRETARY TO UNDER SECRETARY OF GOVERNACION,
DESCRIBING CONDITIONS AT LECUMBERRI AND REQUESTING ASSISTANCE
IN ALLEVIATING THEM.

9. MALO CAMACHO TIES EMBASSY "APPROVAL" OF PRISON
CONDITIONS TO TIME OF HUNGER STRIKE BY PRISONERS IN JULY
1974. EMBASSY FILES CONTAIN UNEDITED TRANSCRIPT OF
RECORDED DISCUSSION BETWEEN THEN CONSUL GENERAL PETERSON
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AND STRIKING PRISONERS AT LECUMBERRI. SPOKESMAN FOR THE
PRISONERS STATED THAT THEIR PROTEST WAS NOT DIRECTED
AGAINST PRISON CONDITIONS - "OUR PROBLEMS DO NOT LIE WITHIN
THE WALLS OF THIS PRISON AND WE ARE SATISFIED WITH THE
PRESENT ADMINISTRATION" - BUT AGAINST ALLEGED COLLUSION
BETWEEN USG AND GOM TO HOLD THEM IN PRISON. PETERSEN
REFERRED TO COMPLAINTS MADE ON CONOGG VISITS AND ADDED
"WE ARE ALL QUITE FRANKLY SURPRISED TO LEARN THAT YOU
HAVE NO CAUSE FOR COMPLAINT AGAINST THE PRISON AUTHORITIES.
I AM VERY, VERY HAPPY TO HEAR THIS BECAUSE QUITE FRANKLY
WE'VE BEEN CONCERNED ABOUT THESE COMPLAINTS AND ABOUT
THE MISTREATMENT THAT HAS BEEN ALLEGED (BY YOU AGAINST
PRISON AUTHORITIES) AND I GUESS WE'RE VERY, VERY HAPPY
TO KNOW FROM YOUR OWN SPOKESMAN'S LIPS THAT THESE
COMPLAINTS THAT REACH CONGRESSMEN AND SENATORS HAVE NO

BASIS OF FACT." (END LOU).

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